

2 FAM 900 MISCELLANEOUS

2 FAM 910 ECONOMIC AFFAIRS

(TL:GEN-293; 10-01-1996)

2 FAM 911 POLICY, RESPONSIBILITY, AND AUTHORITY

2 FAM 911.1 Economic Activities Abroad

2 FAM 911.1-1 Policy

(TL:GEN-293; 10-01-1996)

- a. A principal mission of U.S. embassies and posts abroad is to promote the international economic security of the United States. U.S. ambassadors promote general U.S. international economic objectives and specific commercial objectives by directing the activities of Foreign Service Officers and the personnel of other agencies assigned to our embassies toward these goals. State Department/post economic sections and officers influence foreign governments' legal and policy environments as they affect U.S. economic and commercial interests.
- b. It is Department policy to work closely with the employees of other agencies stationed abroad (Foreign Agriculture Service, Foreign Commercial Service, etc.).

2 FAM 911.1-2 Responsibilities

(TL:GEN-293; 10-01-1996)

- a. In close coordination with participants in the Washington D.C.-based inter-agency economic policy process, post economic sections:
 - (1) Negotiate specific agreements with foreign governments and

international organizations;

- (2) Advocate foreign government policies that improve market access for U.S. firms;
 - (3) Seek agreements to ensure equitable treatment of private U.S. investors and investments;
 - (4) Implement and monitor a wide range of bilateral and multilateral economic accords covering areas such as intellectual property rights and commercial aviation, and
 - (5) Inform agencies' Washington, D.C. headquarters of foreign government positions in negotiations.
- b. In conjunction with the personnel of other agencies, particularly the Foreign Commercial Service (FCS), State economic officers actively support the commercial goals of U.S. firms abroad.
 - c. Post economic sections report on issues of direct policy interest to the United States when accurate, reliable, timely and cost-effective information is unavailable from non-U.S. Government sources.
 - d. Within the State Department in Washington, D.C., the Under Secretary of State for Economic, Business and Agricultural Affairs and the Bureau of Economic and Business Affairs advise the Secretary of State on international economic issues, represent the Secretary of State in the inter-agency U.S. Government international economic policy process, provide guidance and support for our posts abroad on issues that fall within their authority and negotiate specific agreements with foreign governments and international organizations.
 - e. See also 1 FAM 042 "Under Secretary for Economic, Business and Agricultural Affairs."

2 FAM 911.1-3 Relations With Other Agencies

(TL:GEN-293; 10-01-1996)

- a. Although there have been formal agreements between other agencies, these working relationships are not formally defined or governed by specific agreement. Employees are responsible for making their best efforts at cooperation and accommodation. See 2 FAM 911.4 , below.
- b. See also 2 FAM 044 [to be moved to 2 FAM 110].

2 FAM 911.2 Aircraft Accidents

2 FAM 911.2-1 Scope and Authority

(TL:GEN-291; 11-1-95)

While the responsibility for civil aircraft accident investigation rests primarily with the National Transportation Safety Board (NTSB), it is Department policy that State Department personnel at posts abroad will provide certain reporting as outlined in this subchapter.

2 FAM 911.2-2 Responsibility

(TL:GEN-291; 11-1-95)

The Office of Aviation Programs and Policy (EB/TRA/AVP) manages this responsibility for the Department of State.

2 FAM 911.3 Definitions

(TL:GEN-291; 11-1-95)

- a. **Chicago Convention:** Chicago Convention on International Civil Aviation (1944).
- b. **State of Occurrence:** The country or state in which the accident occurs.
- c. **State of Registry:** The country in which the aircraft is registered.

2 FAM 911.4 Authorities

(TL:GEN-291; 11-1-95)

- a. State-Agriculture Agreement on Foreign Agricultural Activities dated April 1, 1955 (1 FASR 2).
- b. State-Commerce Memorandum of Understanding of September 26, 1979.

2 FAM 912 U.S. PARTICIPATION IN CIVIL AIRCRAFT ACCIDENT AND SERIOUS INCIDENT INVESTIGATION

(TL:GEN-293; 10-01-1996)

- a. The National Transportation Safety Board (NTSB) was established by Congress in 1967 as an independent agency. It is responsible for the investigation and determination of probable cause of all domestic transportation accidents and for participation, if entitled, in foreign government's *investigations of aircraft accidents and serious incidents* involving U.S. citizens or *aircraft*. The NTSB consists of five members appointed by the President and is supported by an investigation staff in Washington, D.C. and by staffs in 12 field offices throughout the United States.
- b. When a civil aircraft accident *or serious incident* occurs in a foreign territory, the host government, if *a party* to the Chicago Convention *on International Civil Aviation* and by Annex 13 to the Convention to designate an Investigator-in-Charge and to institute an investigation immediately into the circumstances of the accident *or serious incident*. Although the State of Occurrence of the accident is responsible for and in most cases conducts the investigation, the State of Occurrence may delegate the whole or any part of the conduct of the investigation to the State in which the aircraft was registered.
- c. Normally, the State of Registry will not conduct the investigation but has the right, at its discretion to name an accredited representative to participate in certain investigations as specified in Annex 13. *NTSB provides the accredited representatives*.
- d. The right of a State to send an accredited representative also includes the right to appoint technical advisers. Advisers may include representatives of the carrier, the Federal Aviation Administration (FAA), the manufacturer of the aircraft, the manufacturers of major components of the aircraft, the professional aviation associations, and others. Advisers will remain under the supervision and control of the accredited representative. Their participation in the investigation is limited to the extent necessary to enable the accredited representative to provide beneficial service.
- e. Consistent with available resources, embassy and consular personnel should provide requested assistance to the U.S. accredited representative *or his or her technical advisers*. Every effort will be made by the Department, acting upon advice received from NTSB, to define by telegram the assistance required prior to the arrival of the accredited representative and advisers.

2 FAM 913 NOTIFICATION OF AIRCRAFT ACCIDENTS AND SERIOUS INCIDENTS

2 FAM 913.1 Report Types

(TL:GEN-293; 10-01-1996)

- a. Posts filing reports on aircraft accidents *or serious incidents* should telegraph all available information immediately to the Office of Aviation Programs and Policy (EB/TRA/AVP).
 - (1) REPORTS REQUIRED IF:
 - (a) U.S. registered aircraft and U.S. citizens on board;
 - (b) U.S. made aircraft and U.S. citizens on board;
 - (c) U.S. made and U.S. registered aircraft and U.S. citizens on board; and
 - (d) Foreign made and/or foreign registered aircraft with U.S. citizens on board;
 - (e) U.S. made but not U.S. registered aircraft and no U.S. citizens on board;
 - (2) DISCRETIONARY REPORTS:
 - (a) The accident of a U.S. made aircraft which resulted in the loss of life (other than U.S. citizens), which in the opinion of the post merits a report; or
 - (b) The accident of an aircraft that is neither U.S. made nor U.S. registered but resulted in the death of U.S. citizens.
- b. Some factors to evaluate in determining the desirability of providing discretionary reports are:
 - (1) Is the loss of life large;
 - (2) Is some U.S. foreign policy concern involved; and
 - (3) Would U.S. technical assistance be welcomed to help determine the cause of the accident.

2 FAM 913.2 Notification Formats

(TL:GEN-291; 11-01-1995)

In transmitting notifications of aircraft accidents to the Department for distribution to the NTSB, the FAA, and other U.S. agencies (when

appropriate), employ the following standardized format. The initial notification shall include the following information (if the information pertinent to a particular entry is not available initially, the words "Not Available" will be shown following the entry):

- (1) The identifying abbreviation "ACCID" (for accident);
- (2) Type, model, nationality, and registration marks of the aircraft;
- (3) Name of owner, operator, and charterer, if any, of the aircraft;
- (4) Name of the pilot-in-command;
- (5) Date and time (GMT) of the accident;
- (6) Last point of departure and point of intended landing of the aircraft;
- (7) Position of the aircraft with reference to some easily defined geographical point and to latitude and longitude;
- (8) Number of crew and passengers; number killed and seriously injured;
- (9) Nature of the accident and the extent of damage to the aircraft, so far as is known;
- (10) Will an accident inquiry be conducted by the state in which the aircraft crashed; if the aircraft is U.S. registered or U.S. made, is participation by the NTSB in the accident inquiry desired;
- (11) Physical characteristics of the accident area; and
- (12) Any additional information required for Department interests should be included as "Remarks" in the notification message.

2 FAM 914 FOREIGN GOVERNMENT ACCIDENT REPORTS

(TL:GEN-293; 10-01-1996)

Preliminary, interim, or final reports prepared by a foreign government will not *necessarily* be accepted by the NTSB in whole or in part unless it has first been ascertained by the U.S. Embassy that the foreign government which prepared them has no objection to their public release. If public release is not authorized by the foreign government involved, the embassy or consulate should request guidance from the NTSB through the Office of

Aviation Programs and Policy (EB/TRA/AVP), *which* serves as the Department channel.

2 FAM 915 VIOLATION OF FOREIGN AVIATION REGULATIONS

(TL:GEN-291; 11-01-1995)

Alleged violations of foreign aviation regulations reported by foreign authorities involving U.S. registered aircraft and/or U.S. FAA certified pilots and crew should be transmitted by telegram to the FAA field or regional office with information copies to the appropriate FAA region and Department of State, Attn: EB/TRA/AVP. Alleged violations which raise or may raise sensitive questions should be reported to the Department. To facilitate the investigation it is important that the allegation include as much of the following information as possible:

- (1) Aircraft registration;
- (2) Aircraft type, make, and model;
- (3) Aircraft operator (pilot/air carrier);
- (4) Date, time, and place of incident;
- (5) Airport arrival/departure data;
- (6) Name of pilot;
- (7) Purpose of flight;
- (8) Narrative account; and
- (9) Quotation of the foreign regulation(s) violated.

2 FAM 916 THROUGH 919 UNASSIGNED